

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN WASHINGTON GORDON,  
Plaintiff,

Vs.,

CIVIL NO. 1:CV-1-0331

N. GONZALEZ, EL AL.,  
Defendants,

**FILED**  
HARRISBURG, PA  
AUG 25 2004

MARY E. D'ANDREA, CLERK  
Per [Signature]  
Deputy Clerk

BRIEF IN SUPPORT OF MOTION TO ORDER THAT THE  
PLAINTIFF TAKEN A MRI PROGNOSTIC COMPLETE AND  
COMPREHENSIVE BACK EXAMINATION BY A RADIOLOGIST  
BACK EXPERT.

COMES NOW, Plaintiff pro-se Juken W. Gordon respectfully request and asks this honorable court to order that the plaintiff taken a MRI Prognostic complete and comprehensive back examination by a radiologist back expert. This civil action matter is pending before this court.

1. Reasons for said motion is, On December 19, 2000 just three (3) months after the used of excessive physical force by the defendants. plaintiff saw Dr. Reish, who then examined the plaintiff x-ray flims and diagnosed plaintiff with compression fracture with disc injuries. Dr. Reish noted in his medical report's I think his problem is residual compression fracture with a disc that is deteriorating in that level.

2. Dr. Reish also noted in his medical report's of December 19, 2000 Also of significance is that he says when he was in the Lewisburg Federal Penitentiary he was involved in a situation where he was taken to the office, had to put his hands up against the wall, and then had his feet

taken out from underneath him. He fell at that time. He call the police. He had really no radicular symptoms or, in my estimation, significant change.

3. The plaintiff continue's to feel pain in his back up to this present time without knowing exactly what are problems to the plaintiff back from the September 9, 2000 assault at USP Lewisburg by the defendants.

4. Attach to this motion, is a copy of Dr. Reish's examination medical report's dated December 19, 2000. (Dr. Reish's orthopedic back specialist). On December 19, 2000 Dr. Reish point to the area on the x-ray to show plaintiff the problems to the plaintiff back.

WHEREFORE, for all the foregoing reasons stated above plaintiff Juken Washington Gordon respectfully request this honorable court to grant his motion to order that the plaintiff taken a MRI Prognostic complete and comprehensive back examination at a MRI unit, and that the results admitted into evidence at trial.

Respectfully Submitted

By Juken Gordon  
Juken Washington Gordon,  
Pro-se Reg. No. 05373-088

Dated: 21st, 2004.

GORDON - 05373-088  
USP ALLENWOOD

12-19-00

Mr. Gordon is 32 and he comes because he has discomfort in his low back. His history first starts in 1997 before he got incarcerated. This would have been in January or February of 1997. He was involved in an automobile accident in New York. He was seen by a private physician and had back pain. He was started on therapy, started on medication, and before he could finish his treatment he was incarcerated. This would have been around April. He says his back was really sore and it hurt. He had an MRI at that time. He is not exactly sure what it showed, but he doesn't think it showed anything of significance. He thinks his doctor told him that he had a fracture. He said his pain never really went away since that time and kind of lingered. It then got worse. He can't really relate to an episode that made it worse. He says that his pain is more constant now than it was then, he has it a significant amount of time. It is not associated with any leg pain at all and he has no radicular symptoms. It is not made worse by coughing or sneezing.

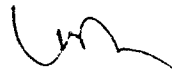
Also of significance is that he says when he was in the Lewisburg Federal Penitentiary he was involved in a situation where he was taken to the office, had to put his hands up against the wall, and then had his feet taken out from underneath him. He fell at that time. He called the police. He had really no radicular symptoms or, in my estimation, significant change.

Physical examination reveals that his forward flexion is good. His lateral bending is good. Straight leg raising is negative. Deep tendon reflexes of the knee and ankle are normal. Sensory examination is okay. Extensor hallucis longus rates a 5. He has no sciatic notch tenderness.

He has two films, AP and lateral. He has some hypertrophic formation at the superior endplate of L3, suggestive of an old fracture or osteoarthritic change. There is also accompanying disc space narrowing between L2 and L3, with a small osteophyte maybe on the superior aspect of L4. There does not appear to be any spondylolysis or spondylolisthesis. I don't have any obliques, but I don't see it on the lateral.

I think his problem is residual compression fracture with a disc that is deteriorating in that level, not

David Chanmugant, M.D. 11/2/01



CERTIFICATE OF SERVICE.

I, Juken Washington Gordon, being duly sworn under the penalty of perjury pursuant to 28 U.S.C. 1746 and according to law, hereby depose and say:

1. I am the prisoner at USP Allenwood, White Deer, Pennsylvania.

2. On this 21st, day of August 2004 I placed two (2) copies of the pleading(s) in an envelope addressed to:

Clerk's Office  
U.S. District Court  
228 Walnut Street  
Post Office Box 983  
Harrisburg, Pennsylvania 17108

And

Michael J. Butler, Esq.  
U.S. Attorneys Office  
228 Walnut Street, 2nd Floor  
Post Office Box 11754  
Harrisburg, Pennsylvania 17108

3. I then affixed sufficient postage to cover first-class U.S. Mail delivery, and then give the package to prison officials here at USP Allenwood, to placed in mail box reserved for inmate legal mail, on this 21st, day of August 2004.

ss Juken Gordon  
Juken Washington Gordon,  
Pro-se Reg. No. 05373-088  
Allenwood U.S.P.  
Post Office Box 3000  
White Deer, Pa. 17887

Sworn before me on this 20, day of August 2004.

12. H. McAdams, CASE MANAGER  
ALL BY THE ACT OF JULY 7,  
19  
COMMISSIONED TO ADMINISTER  
OATHS (18 USC 4004).

\_\_\_\_\_  
Notary Public

Juken Washington Gordon  
Reg. No. 05373-088  
Allenwood U.S.P.  
Post Office Box 3000  
White Deer, Pa. 17887

Clerk's Office  
United States District Court  
228 Walnut Street  
Post Office Box 983  
Harrisburg, Pennsylvania 17887

Re: Gordon v. Gonzalez, et al.,  
Civil Action No. 1:cv-01-0331 SHR

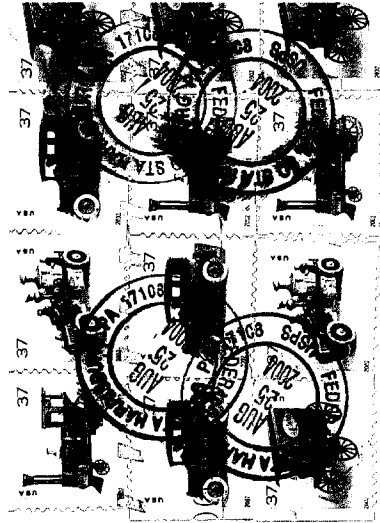
Dear Clerk's:

Enclosed please find an original and one (1) copy of brief in support of motion to subpoena Mr. Harold S. Parnes, M.D. and Ms. Sondra J. Pfeffer, M.D. as plaintiff's own expert witnesses, pursuant to federal rule of civil procedure 45 and local rule 83.10.4 Also please find an original and one (1) copy of brief in support of motion to order that the plaintiff taken a MRI prognostic complete and comprehensive back examination by a radiologist back expert.

Please stamp file and return the extra copies to the plaintiff records. Thank you in advance for your time effort and attention in this matter. Please feel free to contact me at the above addressed if there any question.

Respectfully Submitted  
By Juken Washington Gordon  
Juken Washington Gordon

Dated: August 21st, 2004



MAILED FROM  
U.S. PENITENTIARY

To: The Clerk's Office  
United States District Court  
228 Walnut Street  
Post Office Box 983  
Harrisburg, Pennsylvania 17108

Legal Mail

Legal Mail

From: Juken Washington Gordon  
Reg No. 05373-088  
Allenwood U.S.P.  
Post Office Box 3000  
White Deer, Pennsylvania 17887

9060 40ET 9000 0TTE E002



**CERTIFIED MAIL**

MAILING SERVICE  
OF THE UNITED STATES  
POSTAL SERVICE  
FIRST CLASS PERMIT NO. 1000  
HARRISBURG, PA 17108-0001

9060 40ET 9000 0TTE E002